

OPINION
48-39

February 20, 1948 (OPINION)

CITIES

RE: Publication of Council Proceedings in Official Newspapers

Your letter of February 18, 1948, regarding publication of official proceedings of city, has been received and sent to my desk.

Section 40-0109 of the 1943 Revised Code requires that the city council shall publish a complete record of all its proceedings in its official newspaper.

Section 40-0109 provides for the appointment by the city of an official newspaper, and requires that an official newspaper be appointed if there is one published in the city. The official county newspaper is the paper of the municipality in which it is published.

Section 40-0111 provides that where there is any publication required and there is no official paper in which the publication can be made, the publication may be made by posting copies in five public places in the municipality. This section also provides that in lieu of such posting the publication may be made in the official county newspaper.

Your city council has, therefore, the right, in our opinion, to publish your official proceedings in your official county newspaper if they see fit. However, before doing so, we think the council should pass a resolution providing for publication in the official county newspaper.

NELS G. JOHNSON

Attorney General